

Application No. 10/063937
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Amendment
Attorney Docket No. S63.2B-10447-US01

Amendments To The Drawings:

Applicant has added a new drawing sheet having new Fig. 3.

Attachment: New Sheet

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Remarks

This Amendment is in response to the Final Office Action dated April 5, 2005. In the Final Office Action the Drawings were objected to. Claims 16 and 17 were rejected under USC 102(e) as being anticipated by Cox. Claim 25 was rejected under 35 USC 103(a) as being unpatentable over Cox in view of Thornton. Claims 1-2, 4-5, 9-10, 15, 26, 28, 34 and 35 were rejected under 35 U.S.C. 103(a) as being unpatentable over Wolinsky in view of Erbel. Claims 13-14 were rejected. Claim 36 was rejected under 35 USC 102(e) as being anticipated by Jang (USPN 6,241,760). Claims 1-2, 4-5, 7-10, 15-18, 22-27, and 28-35 were rejected under 35 USC 103(a) as being unpatentable over Cox in view of Erbel. Claims 1 and 4-6 were rejected under 35 USC 103(a) as being unpatentable over Cox in view of Erbel and further in view of Barone (USPN 6,613,078). Applicant will address the objections and rejections under paragraph headings consistent with the numbering of the paragraphs in the Final Office Action.

1

The Drawings were objected to in the Final Office Action under 37 CFR 1.83(a). Applicant has added a new drawing sheet with new Fig. 3. Support for the new figure is given in paragraph 0033 of the original application. Applicant requests that the objection be withdrawn.

2

In the Final Office Action, the previously requested withdrawal of the rejection of claims 16 and 17 as being anticipated under 35 USC 102(e) by Cox (USPN 6,652,579) is denied. The Final Office Action relies on col. 4, lines 4-14 of Cox.

As amended, independent claim 16 requires a plurality of serpentine bands having peaks and troughs and struts extending therebetween. At least one of the serpentine bands includes at least one special strut having a region with an enlarged width with a greater radiopacity than the remainder of the strut. A plurality of struts of the serpentine band adjacent one side of the special strut has complementary shapes thereto and another plurality of struts of the serpentine band adjacent another side of the special strut has complementary shapes thereto.

This combination of features is not disclosed or suggested by Cox. In most of the Cox

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figures, the enlarged areas are on connector struts, not on struts which connect peaks and troughs on a serpentine band. Even those enlarged areas which are not on the connector struts don't have the required plurality of struts with complementary shapes.

Withdrawal of the rejection of claim 16 and 17 in light of Cox is respectfully requested.

3

In the Final Office Action, the previously requested withdrawal of the rejection of claim 25 under 35 USC 103(a) as being unpatentable over Cox in light of Thornton (US 6551350) is denied.

Claim 25 depends from claim 16. As discussed above, Cox does not disclose or suggest the combination of features discussed above in paragraph 2. Thornton does not supply any of the missing teachings.

Withdrawal of the rejection of claim 25 in light of Cox and Thornton is respectfully requested.

4

In the Final Office Action, the rejection of claims 4 and 5 under 35 USC 103(a) over Wolinsky (US 6,730,116) in view of Erbel (US 2004/0116998) is maintained. Moreover, claims 1-2, 9-10, 15, 26, 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination.

Independent claim 1 as amended includes the recitation that the medical device comprises a plurality of serpentine bands formed of interconnected struts. The serpentine bands include special struts which extend between peaks and troughs. Each special strut has a plurality of interconnected struts adjacent the first side, the interconnected struts having curved regions which curve about the first region and a plurality of interconnected struts adjacent the second side, the interconnected struts having curved regions which curve about the first region. The claim also recites the presence of at least one cover.

This combination of features is not disclosed in the proposed combination of

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Wolinsky in view of Erbel.

Wolinsky does not have or suggest the recited plurality of interconnected struts adjacent the first side which have curved regions which curve about the first region of the special
adjacent the first side which have curved regions which curve about the first region of the special
adjacent the first side which have curved regions which curve about the first region of the special

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